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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (RCC) (DFE)

**REPLY DECLARATION OF
WALTER WARDROP IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

I, Walter Wardrop, declare:

1. I am employed by Wyeth Pharmaceuticals, a Division of Wyeth, as Director of Planning and Packaging Operations. I make this declaration based on my own personal knowledge. On October 30, 2006, I signed another declaration in support of Defendants' motion for summary judgment in this case.

2. In November 2006, I was cleaning out and organizing files in my office in connection with a move to a new office, and I discovered the original 2003 Mid-Year Review which was signed by Mr. Henry and myself and is dated September 4, 2003. Before this time, I

did not know that I had a signed version of this document in my files. A true and correct copy of this signed version of Mr. Henry's 2003 Mid-Year Review is attached hereto as Exhibit 1.

Executed on December 4, 2006 at Pearl River, New York.

I declare under penalty of perjury that the foregoing is true and correct.

 12/04/06
Walter Wardrop

Exhibit 1

MID-YEAR REVIEW 2003

Employee: **Howard Henry**
 Current Job Title: **Production Engineer, Labor Grade 9**
 Department Head: **Walter Wardrop, AD. Mfg.**
 Department: **Train 1, Dept. 640**
 Date Conducted: **9/3/03**

Positives:

- Entered more than 556 Maximo request YTD – to respond to equipment and housekeeping issues and Audit findings. Worked with the supervisors to close out “Zone Management” observations.
- Worked weekday and weekend overtime as required to support the CTC operation, complete the CTC Cleaning Verification and train the operators.
- Lent support to the supervisors as needed in the CTC – greater dependency on Howard since Paul Couto and Rakesh Patel (Vertical Cell Supervisors) left.
- Member of the CTC Ergonomic Team: worked on resolving ergonomic issues in the production area and improve the overall safety of the operation.
- Member of “CTC Accountability Team” and “CTC Weekly Review Team.”
- Responded to off-shift emergencies, as needed.
- Managed all PMO's for Train 1 equipment.
- Completed Phase I of installing protective plastic sheeting above and behind the CTC solution tanks. Phase II to complete in 3Q03.
- CTC solution tank platforms and ladders installed.
- CTC Single Pass Project in process. Trial batch completed in August; Demo and Validation batches scheduled for 3rd and 4th Q03.

Areas to Focus for Remainder of 2003

- Projects in-process (established in Goals) that need to be completed by year's end:
 - Establish PMO timelines
 - Install shear mixers in solution tanks
 - Increase the dust collection fan speed on Weigh Belt
 - Fabricate, test and purchase dust removal system for the CTC
 - Complete installation of plastic sheeting around CTC solution tanks
 - Revise SOP's as needed for Single Pass Centrum in the CTC
 - Redesign Best Shaker to prevent foreign objects from entering the blender
 - Participate in all remaining CTC projects, as assigned
- Improve attendance. 11 Absences YTD (9 Sick Days, 2 Snow Days)
- Re- establish a formal tracking sheet for reporting and documenting work performed, progress YTD, timelines, tasks completed and delays encountered, etc. and conduct a monthly review with the Dept. Manager. *No progress*
- Continue to focus on delivering projects, tasks, Action Items, Change Controls, Commitments, etc. on or ahead of schedule. *No progress*

- As discussed, when preparing the end-of-year, final 2003 Goals, quantify and be specific on accomplishments; i.e. financial impact, labor saved, costs reduced, safety upgrades, etc. The Goals need to be a result-driven, cause-and-effect summary of work performed and value-added to the business. *NOT submitted*

- Howard's primary responsibilities this year have centered on the CTC and managing the day-to-day Train 1 Maintenance issues. Moving forward, Howard will concentrate on enhancing his "Leadership" skills by taking ownership of the CTC issues and will become the single point of contact for all CTC activities - productivity and optimization. Consequently, Howard also agreed to assume the leadership role and responsibilities for the "Weekly CTC Review Meeting." He will be the driving force to bring closure to the ongoing CTC problems, such as the OOS Accountability and excessive [unplanned] downtime. Excessive downtime is contributing to higher costs, overtime and adversely affects production planning. The ultimate goal is ensure the dependability of the CTC equipment and process. He will continue to work with the supervisors to enhance operator training and manage the [operator] turnover as rotation increases. Developmentally, Howard will pursue leadership opportunities, identify career goals and undertake new projects that enhance and further his career.

*- at
cancelled
at least
3 meetings*


Overall, Howard is a "Solid Performer."

*NEVER F/U'd our conversation
about his 'career objectives'
despite my offer to help develop
a plan.*

Also Discussed:

- Reports from the Medical Dept. that when he goes for his Allergy shots, he has been observed there for an extended period of time (up to 1 ½ hours) and was seen entering and exiting an "unauthorized" area.
 - Response:** He was using the Men's Room and he also brought work with him and lost track of time.
- Howard works scheduled overtime, but I received reports that he did not respond to pages.
 - Response:** He leaves his pager on and responded to all pages he received. He is aware that it is part of his job to respond to emergencies and he often calls in to check the status of the operation before going to bed and will continue that practice. On 9/4/03 I received a message from Carol Burke stating that the 2-way pager system is not working correctly. She said new equipment is being installed to improve service. Since the system is not working, it is likely that Howard did not receive the pages.


Howard Henry
9/4/03
Date


Walter Wardrop
9/4/03
Date